

**REMARKS**

Without acquiescing to the propriety of the rejections in the Office Action dated October 19, 2006, claims 1, 3, 7 and 11 have been amended and new claim 12 has been added. Entry of the amendments, reconsideration of the application and allowance of all claims pending herein are respectfully requested in view of the remarks below. Claims 1-12 are now pending.

**Drawing Objections:**

The drawings were objected to because the complementary air outlet, a differential lock system and a movement take-off system must be shown or the pictures cancelled from the claims, according to the Office Action.

Relative to the "complementary air outlet", it would be clear to one skilled in the art from the last paragraph on page 8, last paragraph on page 12, last paragraph on page 17, and the first paragraph on page 18 that modules 13-18 may include outlets for supply of auxiliary devices such as movement take-offs or differential lock systems. The use of the word "complementary" is found in the last paragraph of page 8, but the explicit use of "complementary" in the specification is not required since it would be clear to one skilled in the art that one of the several air outlets may be referred to in the claim as "complementary". Further, claim 11 has been amended to refer to the pneumatic actuator as being at least one actuator of a differential lock system and/or movement take-off system. Support for such an actuator is found throughout the specification and drawings. Thus, this objection is believed to be overcome.

**Specification Rejections:**

The Office Action has suggested that the blank in the "Cross-Reference to Related Application" section be completed. As indicated in the above amendment to the specification, the suggested information has been provided and thus this objection has been overcome.

**U.S.C. § 112 Rejections:**

Claims 3, 5-6, and 10 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim subject matter of the invention.

In particular, claims 3 and 5 are allegedly indefinite in the rejection of "supplementary air outlet" which is stated to be considered a double inclusion.

Claim 3 has been amended to recite the at least one supplementary air outlet of claim 1 includes a plurality of supplementary air outlets; and thus, the rejection of claim 3 is believed to be overcome. Claim 5 recites "at least one additional supplementary air outlet" wherein the "additional" air outlet does not refer to the "at least one supplementary air outlet" of claim 1. Accordingly, the rejection of claim 5 is believed to be overcome.

### **§ 102 Rejections:**

Claims 1-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 00/07863 of which Hilberer (U.S. Patent No. 6,540,308) is the English equivalent. However, paragraph 8 of the Office Action does not allege all the features recited in claim 1 pending prior to the amendments of the present response. In particular, paragraph 8, line 4, refers to a "supplementary outlet to a parking brake" which applicant believes was an error, since a "parking brake" is not recited in claim 1. Applicant has addressed the general outlines of paragraph 8 below. However, if the below arguments do not address the intended issues and put the application into condition for allowance, Applicant respectfully requests that the Office Action be corrected and that the reply period be reset according to MPEP §710.06 which addresses errors "... that affects applicant's ability to reply to the Office Action."

Claim 1 recites, *inter alia*, a supplementary air outlet for directly providing compressed air at a control pressure to at least one actuator of a pneumatic suspension system. A supplementary set of electropneumatic components are associated with, and upstream of, the supplementary air outlet, which set receives compressed air at a supply pressure and applies the control pressure to the compressed air to selectively fully operate the at least one actuator. An electronic command and control unit includes operating means configured to operate the supplementary set of electropneumatic components whereby full operation of the at least one actuator is directly controlled by the device.

The Electronic Compressed-Air Processing System of Hilberer neither includes the above-described features nor provides the numerous benefits of the present invention. The

compressed-air system of this reference has, “in a housing, an electromechanical pressure regulator, preferably an air dryer cartridge, and a multicircuit safety valve having at least one load circuit connected to it. Each load circuit can be locked separately by means of an assigned pressure control unit”, (Column 1, lines 7-12 of Hilberer, emphasis added.) As illustrated in Figures 1 and 3 of the reference, the multicircuit safety valve M has a plurality of pressure control units, 6, 7, 8, 9 which each provide supply pressure to an assigned supply circuit K1, K2, K3, K4 and FBA.

Column 9, lines 17-37 of Hilberer describe an air suspension of a truck connected to a pressure regulator output hole which may receive air when a pressure sensor indicates a minimum amount of pressure has been supplied to the supply circuits. A spring pressures a valve in a closing direction and the closing force of the spring is cancelled when such a minimum pressure value set at the spring is exceeded. The air suspension is then supplied from the pressure regulator output hole. However, there is no disclosure of a unitary device fully and directly controlling a pneumatic suspension system. Instead, a filling of the suspension in Hilberer is controlled by a pressure sensor and spring, which regulates the filling of the air suspension upon the charging of supply circuits. Thus, this reference does not identically disclose a unitary device fully and directly controlling a pneumatic suspension due at least to the lack of control over the pressurization of the air suspension by such a unitary device.

The compressed-air processing system of the applied reference is designed and employed to provide compressed air at a supply pressure to the various pneumatic circuits of the vehicle. There is no teaching or suggestion in this reference of using the compressed-air processing system to directly and fully operate an actuator or actuators of an air suspension, exclusive of any dispersed pressure control component. In fact, the reference teaches away from the present invention by teaching that the compressed-air processing system is used to “charge” the individual circuits (column 2, lines 46 & 49; column 3, line 4 of Hilberer), and that such circuits include compressed-air storage tanks and “other customary components”. (Column 6, line 11 of Hilberer.)

Accordingly, because all the features (e.g., a supplementary set of electropneumatic components associated with and upstream of the supplementary air outlet which applies a control

pressure to compressed air to selectively fully operate at least one actuator of a pneumatic suspension system and a command and control unit having operating means configured to operate the supplementary set of electropneumatic components whereby full operation of the at least one actuator of the pneumatic suspension system is directly controlled by the device) of claim 1 of the present application are not identically disclosed by Hilberer, this claim cannot be anticipated thereby. The dependent claims are believed not to be anticipated for the same reasons and for their own additional features. Thus, the claims are believed to be allowable.

**Double-Patenting Rejections:**

Claims 1-11 stand provisionally rejected on the ground of Non-Statutory Obviousness-type double patenting as being unpatentable over claims 1-20 of co-pending application serial number 10/757,061. Included herein is a Terminal Disclaimer relative to the cited patent application and thus rejection is believed to be overcome.

**New Claim:**


Claim 12 has been added. Support for this claim can be found in the specification and drawings and no new matter has been added. Claim 12 is believed to be allowable for the same reasons as claim 1 described above and for its own additional features.

**CONCLUSION**

It is believed that the application is in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, the Examiner is invited to telephone the undersigned attorney at the telephone number provided.

*Respectfully submitted,*



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Attachment: Terminal Disclaimer